

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MERCY HEALTH SYSTEM,)
) Civil Action
Plaintiff) No. 01-CV-05681
)
vs.)
)
CSI FINANCIAL, INC.,)
)
Defendant)

* * *

FIRST NATIONAL BANK OF)
MONTANA, INC. and) Civil Action
CSI FINANCIAL, INC.,) No. 02-CV-03608
)
Plaintiffs)
)
vs.)
)
MERCY HEALTH SYSTEM OF)
SOUTHEASTERN PENNSYLVANIA,)
)
Defendant)

* * *

O R D E R

NOW, this 6th day of May, 2003, upon consideration of the Motion to Refer the Consolidated Litigation to the United States Bankruptcy Court for the Eastern District of Pennsylvania filed on behalf of First National Bank of Montana, Inc., February 18, 2003; upon consideration of Mercy Health System's Memorandum of Law in Opposition to First National Bank of Montana's Motion to Refer the Consolidated Litigation to the United States Bankruptcy Court for the Eastern District of

Pennsylvania filed March 3, 2003; upon consideration of First National Bank of Montana's Reply Brief in Support of its Motion to Refer the Consolidated Litigation to the United States Bankruptcy Court for the Eastern District of Pennsylvania; it appearing that on December 16, 2002 CSI Financial, Inc. filed a bankruptcy petition in the United States Bankruptcy Court for the District of Montana; it further appearing by Rule 16 Status Conference Order of the undersigned dated March 13, 2003 we placed these consolidated cases in civil suspense until a determination was made by the bankruptcy court regarding the petition from relief of stay filed by Mercy Health System of Southeastern Pennsylvania; it further appearing that by Order and Memorandum of Decision of the Honorable Ralph B. Kirscher, United States Bankruptcy Judge, United States Bankruptcy Court for the District of Montana that the automatic stay has been lifted to permit Mercy Health Systems to "both prosecute and defend, to conclusion, all claims that are currently pending in the United States District Court for the Eastern District of Pennsylvania",

IT IS ORDERED that the Motion to Refer the Consolidated Litigation to the United States Bankruptcy Court for the Eastern District of Pennsylvania filed on behalf of First National Bank of Montana, Inc., is denied as moot.

IT IS FURTHER ORDERED that the Clerk of Court for the United States District Court for the Eastern District of

Pennsylvania shall immediately remove these consolidated cases from civil suspense and return them to the active docket of the undersigned.

BY THE COURT:

James Knoll Gardner
United States District Judge